

**RULES  
OF THE  
TENNESSEE DEPARTMENT OF SAFETY**

**CHAPTER 1340-08-01  
RULES AND REGULATIONS FOR ACCESS TO PUBLIC RECORDS**

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**1340-08-01-.01 CHARGES FOR ACCESS TO PUBLIC RECORDS.**

Upon a request for records under Tennessee's Public Records Act, Tenn. Code Ann. § 10-7-501 et seq., the Department shall assess charges for the copying and labor based on the most current version of the Schedule of Reasonable Charges, issued by the Office of Open Records Counsel, available at <http://www.comptroller.tn.gov/openrecords/forms.asp>.

**Authority:** T.C.A. §§ 4-3-2009 and 10-7-501 et seq.; 2008 Public Chapter 1179. **Administrative History:** Public necessity rule filed November 5, 2008; effective through April 19, 2009. Original rule filed November 5, 2008; effective March 30, 2009.

**1340-08-01-.02 WAIVER.**

Should any charge assessed under Rule 1340-08-01-.01 total ten (\$10.00) dollars or less, the Department shall waive the charge and provide the requested documents without payment.

**Authority:** T.C.A. §§ 4-3-2009 and 10-7-501 et seq.; 2008 Public Chapter 1179. **Administrative History:** Public necessity rule filed November 5, 2008; effective through April 19, 2009. Original rule filed November 5, 2008; effective March 30, 2009.

**1340-08-01-.03 REDUCTION OF FEES.**

The Commissioner, or his or her designee, may reduce any part of the fees calculated under these rules upon a written determination that such reduction would be in the best interests of the public.

**Authority:** T.C.A. § 10-7-501 et seq.; and 2008 Public Chapter 1179. **Administrative History:** Public necessity rule filed November 5, 2008; effective through April 19, 2009. Original rule filed November 5, 2008; effective March 30, 2009.

**1340-08-01-.04 SALE OF MOTOR VEHICLE RECORDS.**

- (1) For the preparing and furnishing of each individual motor vehicle record (MVR), the Department shall charge a fee of five (\$5.00) dollars in accordance with T.C.A. § 55-50-204(d)(1).
  - (a) For the purpose of this rule, "individual motor vehicle record (MVR)" means the complete record, prepared and maintained by the department, as it pertains to an individual's driver license and driver history.
  - (b) The \$5.00 fee shall be charged per individual MVR whether furnished in paper or electronic format.

(Rule 1340-08-01-.04, continued)

- (2) For the preparing and furnishing in bulk portions of individual MVRs, the department shall charge a fee that is calculated based on the Schedule of Reasonable Charges for Copies of Public Records established pursuant to T.C.A. § 8-4-604(a)(1).
  - (a) For the purpose of this rule, "bulk" means the one time preparation and furnishing of portions of multiple individual MVRs.
  - (b) Bulk requests shall be furnished in electronic format unless requested otherwise and agreed to by the department.
- (3) Recurrent Bulk Purchases
  - (a) For the purpose of this rule:
    1. "Recurrent" means monthly or other frequent periodic time interval determined by the department.
    2. "Standard Format" means the three files furnished by the Department which include the following:
      - (i) All Driver File: contains demographic information on all drivers in Tennessee at the time the file is created, other than the social security number.
      - (ii) Monthly Violations File: contains demographic information of all drivers that had a violation event during the previous month, including the date of any violation event, but excluding the social security number.
      - (iii) Monthly Revocations and Suspensions File: contains all drivers who had a revocation event during the previous month, including the date of any revocation event, but excluding the social security number.
    3. "Expanded Format" means the three files furnished by the Department which include the following:
      - (i) All Driver File: contains demographic information on all drivers in Tennessee at the time the file is created, other than the social security number.
      - (ii) Monthly Violations File: contains demographic information of all drivers that had a violation event during the previous month, including the nature of any violation event, furnished as a history action code, but excluding the social security number.
      - (iii) Monthly Revocations and Suspensions File: contains all drivers who had a revocation event during the previous month, including the nature of any revocation event, furnished as a history action code, but excluding the social security number.
  - (b) For the recurrent preparing and furnishing of portions of multiple or all individual MVRs in Standard Format, the department shall be paid 4/100 of a dollar, per year, for each licensed driver in the state of Tennessee for that year. The total fee per year shall be based on the total number of licensed drivers in the state as of January 1, 2010, and shall be divided and paid in 12 equal monthly payments. The number of licensed records used for calculating the payment shall be adjusted on January 1 of every year.

(Rule 1340-08-01-.04, continued)

- (c) For the recurrent preparing and furnishing of portions of multiple or all individual MVRs in Expanded Format, the department shall be paid 5/100 of a dollar, per year, for each licensed driver in the state of Tennessee for that year. The total fee per year shall be based on the total number of licensed drivers in the state as of January 1, 2010, and shall be divided and paid in 12 equal monthly payments. The number of licensed records used for calculating the payment shall be adjusted on January 1 of every year.
  - (d) Recurrent requests shall be furnished in electronic format only.
  - (e) Requests made for less than twelve (12) months of recurring data in a calendar year shall be priced at the monthly fee calculated under subparagraph (b) for Standard Format or subparagraph (c) for Expanded Format for each month requested.
- (4) Historical Driver License Data
  - (a) For the purposes of this rule, "Historical Driver License Data" means data, either in Expanded or Standard Format, which is more than sixty (60) days old, determined from the date of the request.
  - (b) For the preparing and furnishing of portions of Historical Driver License Data for multiple or all individual MVRs, the Department shall charge 1/12 of the fee calculated under subparagraph (3)(b) for Standard Format requests or subparagraph (3)(c) for Expanded Format requests in the year in which the request is made, for each separate request made.
  - (c) Historical Driver License Data requests shall be furnished in electronic format only.
- (5) All bulk requests, whether one time or recurrent, and all Historical Driver License data requests shall be accompanied by a statement on form SF-1289 (available at <http://www.tn.gov/assets/entities/safety/attachments/dppa.pdf>), filled out in its entirety, indicating the request falls under one of the approved categories authorized by the Driver Privacy Protection Act of 1994 (18 U.S.C. §§ 2721-2725) and the Uniform Motor Vehicle Records Disclosure Act (Tenn. Code Ann. § 55-25-101 et seq.) A new form may be required at the start of the calendar year for recurrent requests to verify the approved categories are still applicable to the requestor.

**Authority:** T.C.A. §§ 4-3-2009, 8-4-604(a)(1), 10-7-501 et seq., and 55-50-204. **Administrative**

**History:** New rule filed September 21, 2009; to be effective February 28, 2010; however on January 26, 2010, the Department of Safety withdrew the rule. Original rule filed May 27, 2010; effective October 29, 2010. Amendments filed January 11, 2016; effective April 10, 2016.